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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/707,928	11/08/2000	John W. Holaday		9620

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EXAMINER

NGUYEN, DAVE TRONG

ART UNIT

PAPER NUMBER

1632

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Please find below and/or attached an Office communication concerning this application or proceeding.

The amendment filed 12-23-02 is non-responsive because the newly amended claims are all directed to the non-elected species of a variable flux of electrical energy. As such, all outstanding issues under previous examinations were not directed to the non-elected species as now recited in the presently pending claims. Since applicant has received an action on the merits for the originally presented invention directed to the elected species of pulsed electrical energy, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, the claims are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Therefore, the latest amendment canceling all claims drawn to the elected species and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiry concerning this communication or earlier communications regarding the formalities should be directed to Patent Analyst Kimberly Davis, whose telephone number is (703) 305-3015.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Dave Nguyen* whose telephone number is (703) 305-2024.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Deborah Clark*, may be reached at (703) 305-4051.

Papers related to this application may be submitted to Group 1600 by facsimile transmission. Papers should be faxed to Group 1600 via the PTO Fax Center located in Crystal Mall 1. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CM1 Fax Center number is (703) 305-7401.

Any inquiry of a general nature or relating to the status of this application should be directed to the *Group receptionist* whose telephone number is (703) 308-0196.

Dave Nguyen
Primary Examiner
Art Unit: 1633


DAVE T. NGUYEN
PRIMARY EXAMINER